

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3331 of 2025

Arising Out of PS. Case No.-87 Year-2024 Thana- NARAINPUR District- Bhojpur

1. Shambhu Yadav @ Shambhu kumar @ Akash Raj S/o- Late Krishna Yadav
Resident of Baruna P.S Ps- Narainpur, Dist- Bhojpur
2. Ghan Shyam Yadav @ Ghan Shyam Kumar S/o- Late Krishna Yadav
Resident of Baruna P.S Ps- Narainpur, Dist- Bhojpur
3. Prem Yadav @ Prem Kumar S/o- Late Krishna Yadav Resident of Baruna
P.S Ps- Narainpur, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Advocate
For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 09-05-2025 1. Heard learned Counsel for the petitioners and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Narainpur PS case no. 87 of 2024 dated
29.10.2024, disclosing offences punishable under Sections
103(1)/3/5 of the B.N.S.S. 2023.
3. The prosecution story, as per the First Information
Report, is that on 28.10.2024 at about 7 pm in the evening, co-
accused Ritesh Kumar @ Ravan came at the house of the
informant on motorcycle and took her husband Rakesh Mahto
along with him. When the informant's husband did not return till



night, the informant started searching her husband. The villagers told that her husband was having some quarrel with Pintu Yadav. It has further been alleged that in the morning of 29.10.2024, the dead body of her husband was found lying in a field. The informant alleged that petitioners along with other accused persons killed her husband by pressing his neck.

4. Learned Counsel for the petitioners submits that petitioners have falsely been implicated in this case due to ulterior motive. Petitioners no. 1 and 2 are uncles of co-accused Ritesh Kumar and petitioner no. 3 is father of Ritesh Kumar. Learned counsel further submits that as per First Information Report, it is evident that co-accused Ritesh Kumar had taken the informant's husband along with him on the date of occurrence and said Ritesh Kumar was in the company of the deceased till the dead body was recovered. He next submits that in her re-statement, the informant has given a different story about the occurrence and stated that on the date of occurrence, after some time, a call was received by the informant from her husband's mobile, who told the informant that her husband was tortured/ beaten by the accused persons. After the phone call, the informant went to the house of accused persons, where co-accused Ritesh Kumar told that deceased was not present in



the house of accused persons and he had left him much earlier. It is submitted that all these facts have not been disclosed in the F.I.R. by the informant and after the dead body was identified and inquest report was prepared, the present F.I.R. has been lodged. He next submits that co-accused Pintu Yadav has surrendered and is in custody. He also submits that the cause of death has not been ascertained by the Doctor and some minor injuries have been found near the nose of the deceased. Lastly, it is submitted that petitioners being the family members of co-accused Ritesh, have been made accused on the basis of suspicion.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration that it was Ritesh, who was last seen with the deceased, petitioners are family members of co-accused Ritesh and have been made accused on the basis of suspicion, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the



satisfaction of learned Additional Chief Judicial Magistrate-I, Bhojpur in connection with Narainpur PS case no. 87 of 2024, subject to the condition laid down under Section 482(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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